

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Fair Isaac Corporation and myFICO
Consumer Services, Inc.;

Case No. 06-cv-4112 (ADM-JSM)

Plaintiffs,

v.

Fair Isaac's Proposed Voir Dire

Experian Information Solutions Inc.;
Trans Union, LLC; VantageScore
Solutions, LLC; and Does I through
X;

Defendants.

Background of a Venireperson

1. What is your name?
2. What is your age?
3. This trial is expected to last approximately [insert number] days. Will the length of this trial cause you any hardship? If it will, in what way?
4. Do you have any health problems that might affect your service on a jury? Is there a way for the Court or the parties to accommodate any health concerns?
5. This case will involve written technical materials. Can you read and write and comprehend English?
6. What is your marital status?
7. Do you have any children? If you do, how many and what are their ages?
8. What is your educational background?

For those with a college degree, in what subject did you major or minor?

For those with a college degree, do you have additional education? In what area?

9. Have you, your spouse, or significant other taken any courses or had training in any of the following areas?
 - a. law
 - b. sales or marketing
 - c. accounting
 - d. economics
 - e. mathematics
 - f. psychology
 - g. finance or banking
 - h. lending
 - i. product development or design?
 - j. the function or procedures of the United States Patent and Trademark Office?
 - k. logo design or development?
 - l. anything related to trademarks or trademark disputes?
10. Are you currently employed?
11. If so, what is your current occupation?
12. What is the employment status of your spouse or significant other?
13. What is the current occupation of your spouse or significant other?
14. Have you or any family member or close friend ever worked for an attorney, law firm, judge or court?

15. Have you or any family member or close friend ever served in the military?
16. If you have served in the military, what was your rank at time of discharge?

Legal Experience

17. Have you ever filed a legal claim or sued any other party in a court? If so, please describe what that matter involved.
18. Have you ever been sued by another party or had a legal claim filed against you? If so, please describe what that matter involved.
19. Have you ever been a witness in a lawsuit where you were asked to testify under oath? If so, please describe what that matter involved.
20. Has anyone close to you ever filed a legal claim or sued any other party in a court? If so, please describe what that matter involved.
21. Has anyone close to you ever been sued by another party or had a legal claim filed against them? If so, please describe what that matter involved.
22. Has anyone close to you ever been a witness in a lawsuit where they were asked to testify under oath? If so, please describe what that matter involved.
23. Has any employer of yours — past or present — ever sued someone else? If so, what was the nature of the lawsuit? What was your personal involvement, if any in that process?
24. Have you ever served on a jury or a grand jury? If so, please describe what that matter involved.
25. If you served on a jury, did the jury reach a verdict? What was it?

This Lawsuit

26. In this lawsuit, Fair Isaac has sued the credit bureaus Trans Union and Experian, and a joint venture that they formed called VantageScore Solutions LLC for trademark infringement.
 - a. Have you ever heard of this lawsuit?

27. Have you or anyone you know ever worked in the credit-scoring or credit-reporting business?
28. Have you or anyone you know ever worked in a field that involves credit scores, such as the field of mortgage lending or car loans or banking?
29. Have you or anyone you know ever worked in the field that requires knowledge of credit reporting?
30. Have you or anyone you know ever purchased any Fair Isaac, FICO, or myFICO products? If so, what did you purchase and how would you describe your satisfaction with the products?
31. Have you or anyone you know ever purchased a credit score? If so, from what company? How would you describe your satisfaction with the credit score?
32. Have you ever purchased a credit score over the Internet?
33. Have you or anyone your know ever purchased a credit report? If so, from what company? How would you describe your satisfaction with the credit report?
34. Have you ever purchased a credit report over the Internet?
35. Have you ever had a bad experience ordering or otherwise relating to a credit report, credit score, or credit monitoring?
36. Have you or a friend or family member ever disputed something on your credit report?
37. Have you ever had a negative experience with Fair Isaac, FICO, or myFICO?
38. What is your view of Fair Isaac, FICO, and myFICO? How did you come to hold that view?
39. Have you or anyone you know ever been employed by or had any business affiliation or association with the following companies?
 - a. Fair Isaac?
 - b. FICO?

- c. myFICO?
 - d. Experian?
 - e. Consumerinfo?
 - f. freecreditreport.com?
 - g. Experian Information Solutions?
 - h. Trans Union?
 - i. TrueCredit?
 - j. TrueLink?
 - k. VantageScore Solutions LLC?
- 40. Robins, Kaplan, Miller & Ciresi L.L.P. represents Fair Isaac in this case. Have you had any dealings with the lawyers or employees of that firm?
 - 41. Cadwalader, Wickersham & Taft LLP has also represented Fair Isaac in this case. Have you had any dealings with the lawyers or employees of that firm?
 - 42. White & Case represents Experian in this case. Have you had any dealings with the lawyers or employees of that firm?
 - 43. Lindquist & Vennum represents Experian in this case. Have you had any dealings with the lawyers or employees of that firm?
 - 44. Neal, Gerber & Eisenberg LLP represents Trans Union in this case. Have you had any dealings with the lawyers or employees of that firm?
 - 45. Bassford Remele represents Trans Union in this case. Have you had any dealings with the lawyers or employees of that firm?
 - 46. Kelly & Berens represents VantageScore in this case. Have you had any dealings with the lawyers or employees of that firm?
 - 47. Do you know anyone in the courtroom?
 - 48. Does anyone here know any of the other potential jurors? Who? What is your relationship?

49. Do you know any of the potential witnesses in this case?

[LIST WITNESSES]

Internet

50. How regularly do you use the Internet?
51. Have you ever looked for a business' website using a search engine such as Google or Yahoo?

Business

52. Who here has family members who have owned a business, or have themselves owned a business? How successful was it?
53. Who here thinks that big business usually cannot be trusted to treat its competitors fairly?
54. Has anyone ever been involved with a company that was unfairly accused of harming a business competitor? Tell me a little about what happened.
55. Does anyone have any feelings either for or against corporations that would affect their role as a juror?
56. To what extent do you agree or disagree that in the business world, stealing another company's ideas is quite common?

Trademark

57. Have you ever had a great branding or marketing idea?
58. Have you ever applied for a patent, trademark, or copyright?
59. Has anyone here had any experience with obtaining a trademark?
60. Do you know anyone who has applied for a patent, trademark, or copyright?
61. Has anyone here ever themselves had or do you know someone who has had any dealings with the United States Patent and Trademark Office? If so, please tell me more.
62. Do you have any opinion on how difficult it is to establish a trademark?

63. Have you or do you know anyone who has been involved in a patent, trademark, or copyright dispute?
64. Do you approve or disapprove of intellectual property lawsuits, such as lawsuits about protecting trademarks?
65. In your work or hobbies, do you ever deal with patents, trademarks, or copyrights?
66. Do you think that the United States government does a good job of deciding what kinds of marks or brands should be given a trademark registration?
67. Has anyone ever been accused of using an idea of someone else's without their permission? Can you tell more?
68. Has anyone ever worked for a company or individual who has been involved in a trademark dispute?
69. Generally, what type of experiences have you had with agencies of the federal government?
70. Have you ever been employed by the government?
71. Do you think government workers are generally competent at their jobs?
72. How many of you feel that government agencies generally do a poor job?
73. Have you ever designed or conducted a survey?

Bias

74. Who here thinks they might struggle to trust what a large company says when they are the plaintiffs in a lawsuit?
75. Does anyone here think that businesses should settle disputes on their own rather than asking the public courts to do it for them?
76. To what extent do you agree or disagree that some companies would rather sue than compete with other businesses?

- 77. Does anyone here have any personal opinions or beliefs that would prevent them from recognizing and protecting intellectual property, including trademarks?
- 78. Does anyone have any ethical, religious, political, or other beliefs that might prevent them from serving as a juror?
- 79. If you were a party in this case, is there any reason why you would not want yourself to serve on the jury? If yes, please explain.

Damages

- 80. There is some discussion in this country about the verdict amounts being awarded by juries. Some believe juries are giving verdict amounts that are too high and others believe that juries are giving verdict amounts that are too low. Some believe that verdict amounts are about right. How many of you have a strong opinion about the verdict amounts awarded by juries these days?
- 81. Do you think there are too many lawsuits today?

Conclusion

- 82. It is difficult to think of all of the questions that might relate to your thoughts about this case. Is there any reason not covered by the previous questions why you think you could not serve as a fair and impartial juror in this case?
- 83. Based on everything you have heard so far, do you believe you could sit as a fair and impartial juror in this case?

Date: September 21, 2009

Robins, Kaplan, Miller & Ciresi, L.L.P.

By: s/Randall Tietjen

Ronald J. Schutz (130849)

Randall Tietjen (214474)

Christopher K. Larus (226828)

Michael A. Collyard (302569)

2800 LaSalle Plaza

800 LaSalle Avenue

Minneapolis, MN 55402

Tel: (612) 349-8500

Fax: (612) 339-4181

**Attorneys for Plaintiffs Fair Isaac Corporation
and myFICO Consumer Services, Inc.**